



IAP4 Rec'd PCT/PTO 27 DEC 2005 #3

PATENT DOCKET 207,027

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hassell, James Clyde JR Examiner: Not Yet Assigned  
Serial no.: 10/538,394 Group Art Unit: Not Yet Assigned  
Filed: June 8, 2005  
Title: MULTI-PHASE FLUID SAMPLING METHOD AND APPARATUS

STATEMENT OF FILING BY EXPRESS MAIL 37 C.F.R. § 1.10

This correspondence is being deposited with the United States Postal Service on December 27, 2005 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number ER059675025US addressed to the Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450.

RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF NON-PROVISIONAL APPLICATION

Mail stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dated: December 27, 2005

REMARKS

In response to the Notice to File Missing Parts of December 1, 2005 (copy enclosed) in above-captioned application, enclosed is a Declaration and Power of Attorney, executed by the inventor. The surcharge for late filing of the Declaration in the amount of \$ 130.00 is included in the check submitted herewith.

Respectfully submitted,

Thomas E. Spath  
Attorney for Applicants  
Reg. No. 25,928

01/04/2006 GREY1 00000038 10538394

01/04/2006

100.00 09

10/538397



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/538,394	James Clyde Hassell JR.	207,027

INTERNATIONAL APPLICATION NO.

PCT/US04/00607

I.A. FILING DATE

PRIORITY DATE

01/07/2004

01/07/2003

Abelman Frayne & Schwab  
666 Third Avenue, 10th Floor  
New York, NY 10017-5621

CONFIRMATION NO. 2272

371 FORMALITIES LETTER



\*OC000000017509153\*

Date Mailed: 12/01/2005

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/08/2005
- Copy of the International Search Report filed on 06/08/2005
- Copy of IPE Report filed on 06/08/2005
- Oath or Declaration filed on 06/08/2005
- Request for Immediate Examination filed on 06/08/2005
- U.S. Basic National Fees filed on 06/08/2005
- Priority Documents filed on 06/08/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$130** for a Large Entity:

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHARITTA A BURT

Telephone: (703) 308-9140 EXT 207

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/538,394	PCT/US04/00607	207,027